

EXPRESS MAIL NO.: EL750475635US

PATENT

Attorney Docket No: BSC-158

1002/209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rioux
SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned
FILED: Herewith EXAMINER: Not yet assigned
TITLE: METHODS AND DEVICES FOR THE TREATMENT OF
URINARY INCONTINENCE

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a final action or a notice of allowance under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein, or

Information Disclosure Statement
EXPRESS MAIL NO.: EL750475635US
Page 2 of 2

- ☐ (3) after the mailing date of a final action or notice of allowance but before the payment of the issue fee, AND
- ☐ the requisite Statement is below, AND
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Maureen A. Bresnahan
Attorney for Applicant
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: June 5, 2001
Reg. No. 44,559

Tel. No.: (617) 248-7103
Fax No.: (617) 248-7100

VER 12/00 2109001

EXPRESS MAIL NO.: EL750475635

FORM PTO - 1449				ATTORNEY DOCKET NO.: BSC-158			
INFORMATION DISCLOSURE STATEMENT				APPLICANT: Rioux			
				SERIAL NO.: Not yet assigned			
				FILING DATE: Herewith			
				GROUP: Not yet assigned			
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
EB	A1	6,059,801	05/09/00	Samirni	606	148	
	A2	6,042,583	03/28/00	Thompson et al.	606	72	
	A3	5,836,315	11/17/98	Benderov et al.	128	898	
	A4	5,816,258	10/06/98	Jervis	128	898	
	A5	5,766,221	06/16/98	Benderov et al.	606	232	
	A6	5,700,266	12/23/97	Harryman, II	606	80	
	A7	5,697,931	12/16/97	Thompson	606	72	
	A8	5,643,288	07/01/97	Thompson	606	139	
	A9	5,637,112	06/10/97	Moore et al.	606	148	
	A10	5,624,446	04/29/97	Harryman, II	606	96	
	A11	5,620,012	04/15/97	Benderov et al.	128	898	
	A12	5,611,515	03/18/97	Benderov et al.	128	898	
	A13	5,591,163	01/07/97	Thompson	606	29	
	A14	5,582,188	12/10/96	Benderov et al.	128	898	
	A15	5,544,664	08/13/96	Benderov et al.	128	898	
	A16	5,474,543	12/12/95	McKay	604	272	
	A17	5,441,502	08/15/95	Bartlett	606	104	
	A18	5,431,173	07/11/95	Chin et al.	128	898	
	A19	5,337,736	08/16/94	Reddy	128	20	
	A20	5,281,237	01/25/94	Gimpelson	606	144	
	A21	5,279,311	01/18/94	Snyder	128	898	
	A22	5,256,133	10/26/93	Spitz	600	29	
	A23	5,222,508	06/29/93	Contarini	128	898	
	A24	5,203,784	04/20/93	Ross et al.	606	104	

FORM PTO - 1449				ATTORNEY DOCKET NO.: BSC-158			
INFORMATION DISCLOSURE STATEMENT				APPLICANT: Rioux			
				SERIAL NO.: Not yet assigned			
				FILING DATE: Herewith			
				GROUP: Not yet assigned			
29	A25	5,188,636	02/23/93	Fedotov	606	144	
	A26	5,163,946	11/17/92	Li	606	148	
	A27	5,149,329	09/22/92	Richardson	604	272	
	A28	5,133,723	07/28/92	Li et al.	606	148	
	A29	5,112,344	05/12/92	Petros	606	148	
	A30	5,089,013	02/18/92	Bezwarda et al.	606	228	
	A31	5,087,263	02/11/92	Li	606	148	
	A32	5,085,661	02/04/92	Mass	606	139	
	A33	5,013,292	05/07/91	Lemay	600	30	
	A34	4,938,760	07/03/90	Burton et al.	600	29	
	A35	4,927,420	05/22/90	Newkirk et al.	606	45	
	A36	4,920,958	05/01/90	Walt et al.	606	96	
	A37	4,874,375	10/17/89	Elison	604	164	
	A38	4,873,977	10/17/89	Avant et al.	128	334 R	
	A39	4,784,138	11/15/88	Sinnott	128	334 R	
	A40	4,784,137	11/15/88	Kulik et al.	128	334 R	
	A41	4,744,353	05/17/88	McFarland	128	92 VD	
	A42	4,741,330	05/03/88	Hayhurst	128	92 YF	
	A43	4,739,751	04/26/88	Sapega et al.	128	92 V	
	A44	4,606,335	08/19/86	Wedeen	128	92 B	
	A45	4,535,768	08/20/85	Hourahane et al.	128	305.1	
	A46	4,422,567	12/27/83	Haynes	227	19	
	A47	4,172,458	10/30/79	Pereyra	128	340	
	A48	3,995,619	12/07/76	Glatzer	128	2 B	
	A49	3,877,434	04/15/75	Ferguson et al.	128	327	
	A50	3,699,969	10/24/72	Allen	128	330	
30	A51	2,751,903	06/26/56	Ivory et al.	128	20	

FORM PTO - 1449					ATTORNEY DOCKET NO.: BSC-158				
INFORMATION DISCLOSURE STATEMENT					APPLICANT: Rioux				
					SERIAL NO.: Not yet assigned				
					FILING DATE: Herewith				
					GROUP: Not yet assigned				
	AS2	2,738,790	03/20/56	Toldt, Sr., et al.		128	334		
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG Y/N
SD	B1	2,305,815 A1	08/08/74	DE					No
	B2	2,532,242 A1	02/10/77	DE					No
	B3	0 140 557 A3	05/08/85	EPO					Yes
	B4	0437063 A2	07/17/91	EPO					Yes
	B5	0437063 A3	07/17/91	EPO					Yes
	B6	0 599 772 A1	06/01/94	EPO					Yes
	B7	1,539,593	09/13/68	FR					No
	B8	2,739,016	03/28/97	FR					No
	B9	2,268,690	01/19/94	GB					Yes
	B10	503 271	03/01/96	SE					Yes
	B11	506 164	04/10/97	SE					No
	B12	1,225,547	04/23/86	SU					Yes
	B13	93/10715	06/10/93	WO					Yes
	B14	93/19678	10/14/93	WO					Yes
	B15	97/13465	04/17/97	WO					Yes
SD	B16	98/12971	04/02/98	WO					Yes
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Place of Publication, Relevant Pages, Date)								
SD	C1	Benderov: Anchor Fixation And Other Modifications Of Endoscopic Bladder Neck Suspension, Urology 40: 409-418 (1992).							
SD	C2	Benderov: A New Endoscopic Bladder Neck Suspension for the Outpatient Treatment of Stress Urinary Incontinence, (video v-40) J. Urology 149: 197A (1993).							

FORM PTO - 1449		ATTORNEY DOCKET NO.: BSC-158
INFORMATION DISCLOSURE STATEMENT		APPLICANT: Rioux
		SERIAL NO.: Not yet assigned
		FILING DATE: Herewith
		GROUP: Not yet assigned
SD	C3	Benderov: A Modified Percutaneous Outpatient Bladder Neck Suspension System, J. Urology 152: 2316-2320 (1994).
	C4	Leach et al.: Modified Pereyra Bladder Neck Suspension After Previously Failed Anti-Incontinence Surgery: Surgical Technique and Results with Long-Term Follow-Up, Urology 23: 359-362 (1984).
	C5	Mattox et al.: Modification of the Miya Hook in Vaginal Colpopexy, The Journal of Reproductive Medicine, 40: 681-683 (Oct. 1995).
	C6	Mitchell: Hook Needle and Retractor for Posterior Urethroplasty, J. Urology 42: 599-600 (1970).
	C7	Nativ et al.: Bladder Neck Suspension Using Bone Anchors for the Treatment of Female Stress Incontinence, ASAIO Journal, 204-208 (1997).
	C8	Pereyra: A Simplified Surgical Procedure for the Correction of Stress Incontinence in Women, West. J. Surg. Obstetrics and Gynecology: 223-226 (1959).
SD	C9	Schaeffer et al.: Endoscopic Suspension of Vesical Neck for Urinary Incontinence, Urology 23: 484-494 (1984).
EXAMINER: <i>SP/HAS</i>		DATE CONSIDERED <i>7/10/04</i>
BRESNAHA1002/209/2079899		

BSC-158
(1002/209)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Transmittal (1 pg.); Supplemental Information Disclosure Statement (2 pgs.); Supplemental PTO-1449 (1 pg.); Cited Art - A53-A55 and B17; postcard receipt; with each paper having Express Mail Mailing Label No. EL917371566US thereon.

Name of Applicant: Rioux

Serial Number: 09/874,302

Atty: MABresnahan

Date: January 7, 2002 2253288

BSC-158
(1002/209)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Transmittal (1 pg.); Supplemental Information Disclosure Statement (2 pgs.); Supplemental PTO-1449 (1 pg.); Cited Art - A53-A55 and B17; postcard receipt; with each paper having Express Mail Mailing Label No. EL917371566US thereon.

Name of Applicant: Rioux

Serial Number: 09/874,302

Atty: MABresnahan

Date: January 7, 2002

2253288



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PATENT

Attorney Docket No: BSC-158

1002/209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rioux
SERIAL NO.: 09/874,302 GROUP NO.: 3731
FILED: June 5, 2001 EXAMINER: Not yet assigned
TITLE: METHODS AND DEVICES FOR THE TREATMENT OF
URINARY INCONTINENCE

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a final action or a notice of allowance under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein, or

Information Disclosure Statement
Serial No. 09/874,302
Page 2 of 2

- ☐ (3) after the mailing date of a final action or notice of allowance but before the payment of the issue fee, AND
- ☐ the requisite Statement is below, AND
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Maureen A. Bresnahan

Maureen A. Bresnahan
Attorney for Applicant
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High Street Tower
125 High Street
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Date: January 7, 2002
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BRESNAHA1002/209.2257246. VER. 12/00

SHEET 1 OF 1

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FORM PTO - 1449				ATTORNEY DOCKET NO.: BSC-158					
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				APPLICANT: Rioux					
				SERIAL NO.: 09/874,302					
				FILING DATE: June 5, 2001					
				GROUP: 3731					
U.S. PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
SP/HB	A53	5,499,991	03/19/96	Garman et al.	606	148			
1	A54	5,899,909	05/04/99	Claren et al.	606	119			
SP/HB	A55	6,099,538	08/08/00	Moses et al.	606	144			
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
SP/HB	B17	1,443,673 A1	07/25/89	SU				Y	N
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
EXAMINER SP/HB					DATE CONSIDERED 7/16/04				

2253255

Via: First Class Mail	Atty Dkt No.: MIY-P01-011
Inventor: Robert F. Rioux	
Application No.: 09/874302	Filing Date: June 5, 2001
Title: METHODS AND DEVICES FOR THE TREATMENT OF URINARY INCONTINENCE	

Documents Filed:

Supplemental Information Disclosure Statement (3 pages)

PTO Form SB/08 (4 pages) with Cited References AA-AU3; BA-BC; CA-CF1

Amendment and Response (8 pages); Amended Drawing Figures (4 pages)

Petition for Extension of Time (1 page); Fee Charge \$800.00 to deposit account 18-1945 Transmittal (1 page)

Copy of Supplemental Information Disclosure Revocation of Power of Attorney (1 page); Statement filed 1/7/02 Statement Under 37 CFR 3.73(b) (1 pg)

Change of Attorney Docket Number (1 page); This return receipt postcard.

Sender's Initials: ASL/r	Date: February 27, 2004
--------------------------	-------------------------

Via: First Class Mail	Atty Dkt No.: MIY-P01-011
Inventor: Robert F. Rioux	
Application No.: 09/874302	Filing Date: June 5, 2001
Title: METHODS AND DEVICES FOR THE TREATMENT OF URINARY INCONTINENCE	

Documents Filed:

Supplemental Information Disclosure Statement (3 pages)

PTO Form SB/08 (4 pages) with Cited References AA-AU3; BA-BC; CA-CF1

Amendment and Response (8 pages); Amended Drawing Figures (4 pages)

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Copy of Supplemental Information Disclosure Revocation of Power of Attorney (1 page); Statement filed 1/7/02 Statement Under 37 CFR 3.73(b) (1 pg)

Change of Attorney Docket Number (1 page); This return receipt postcard.

Sender's Initials: ASL/r	Date: February 27, 2004
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Intellectual Property Dept.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 2/27/04Signature: Joanne Ryan

(Joanne Ryan)

Docket No.: MTY-P01-011
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of:
Robert F. Rioux

Application No.: 09/874302

Confirmation No.:

Filed: June 5, 2001

Art Unit: 3743

For: **METHODS AND DEVICES FOR THE
TREATMENT OF URINARY
INCONTINENCE**

Examiner: S. Dagostino

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A summary/abstract translation of the non-English language references is enclosed where applicable. Applicants call the Examiner's attention to the following non-English language patent documents: SU 1225547, disclosed in the IDS filed June 5, 2001 but mis-identified as an English language document; SU 1443873, disclosed in the Supplement IDS filed January 7,

Application No.: 09/874302

Docket No.: MIY-P01-011

2002. Applicants hereby submit the abstract translation of these two non-English language patent documents.

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicants call the Examiner's attention to office actions which may have issued in the following co-pending, co-owned patent applications of which subject matters are related to that of the instant application:

U.S. Pat. App. Serial No.	Filing Date
10/723,334	November 26, 2003
10/640,838	August 14, 2003
10/641,170	August 14, 2003
10/642,395	August 14, 2003
10/642,397	August 14, 2003
10/641,192	August 14, 2003
10/641,376	August 14, 2003

Application No.: 09/874302

Docket No.: MIY-P01-011

Please charge our Deposit Account No. 18-1945 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P01-011.

Dated: 2/27/04

Respectfully submitted,

By 

Agnes S. Lee

Registration No.: 46,862

ROPES & GRAY LLP

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Attorneys/Agents For Applicant

PTO/SB/08a/b (08-03)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substituta for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete If Known:	
		Application Number	09/874302
		Filing Date	June 5, 2001
		First Named Inventor	Robert F. Rioux
		Art Unit	3743
		Examiner Name	S. Dagostino
Sheet	1	of	4
		Attorney Docket Number	MIY-P01-011

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number/Kind Code ¹ (If known)				
SD/H	AA	US-D466213	S	11-28-2002	Snitkin et al.	
	AB	US-3,565,073		02-23-1971	Giesy, J.D.	
	AC	US-3,704,712		11-28-1972	Giesy et al.	
	AD	US-4,798,193		01-17-1989	Giesy et al.	
	AE	US-4,824,435		04-25-1989	Giesy et al.	
	AF	US-4,872,451		10-10-1989	Moore et al.	
	AG	US-4,948,488		08-07-1990	Li, L.K.	
	AH	US-5,002,550		03-26-1991	Li, L.K.	
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		Application Number	09/874302
		Filing Date	June 5, 2001
		First Named Inventor	Robert F. Rioux
		Art Unit	3743
		Examiner Name	S. Dagostino
Sheet	2	of	4
		Attorney Docket Number	MIY-P01-011

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Examiner Signature	SP/11	Date Considered	7/16/01
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/874302
		Filing Date	June 5, 2001
		First Named Inventor	Robert F. Rioux
		Art Unit	3743
		Examiner Name	S. Dagostino
		Attorney Docket Number	MIY-P01-011
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	09/874302
		Filing Date	June 5, 2001
		First Named Inventor	Robert F. Rioux
		Art Unit	3743
		Examiner Name	S. Dagostino
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